

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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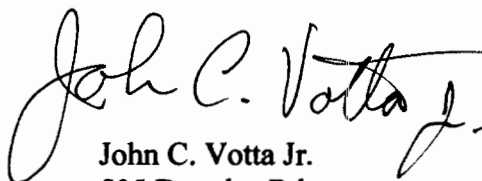
JOHN C. VOTTA JR. )  
Plaintiff )  
 )  
v. )  
 )  
MARTHA COAKLEY )  
Defendant )

Civil Action No. 04-10135-GAO

PLAINTIFF'S MOTION FOR  
RECONSIDERATION

Now comes the plaintiff, in the above captioned matter, and respectfully moves this Honorable Court, to reconsider its decision in denying plaintiff's motion to amend pleadings, paper 33, and motion for hearing, paper 36. For reason, it would be an abuse of discretion for this Court not to hold a hearing where the Massachusetts Supreme Judicial Court has just denied plaintiff's application for direct appellate review on June 28, 2006, (See attached D.A.R.-15518). In further support of this motion, plaintiff submits a copy of his D.A.R. application which shows that plaintiff has presented substantial issues of constitutional magnitude requiring federal inquiry, see, e.g., Banks v. Dretke, 540 U.S. 668(2004).

Respectfully submitted,



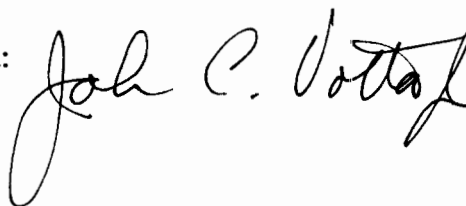
John C. Votta Jr.  
505 Douglas Rd.  
Lowell, MA. 01852  
978 459-8449

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon David M. Lieber, A.A.G., Criminal Bureau, One Ashburton Place, Boston, MA. 02108, by U.S. mail today.

Date: 9-6-06

Signed:



**Supreme Judicial Court for the Commonwealth of Massachusetts**  
**John Adams Courthouse**  
One Pemberton Square, Suite 1400, Boston, Massachusetts 02108-1724  
Telephone 617-557-1020, Fax 617-557-1145

John C. Votta, Jr.  
505 Douglas Road  
Lowell, MA 01852

RE: No. DAR-15518

**COMMONWEALTH**

**vs.**

**JOHN C. VOTTA, JR.**

Lowell District, MI No. 9811CR005738  
A.C. No. 2006-P-0466

**NOTICE OF DENIAL OF APPLICATION FOR DIRECT APPELLATE REVIEW**

Please take note that on June 28, 2006, the above-captioned  
Application for Direct Appellate Review was denied.

Susan Mellen, Clerk

Dated: June 28, 2006

To: James W. Sahakian, A.D.A.  
John C. Votta, Jr.